IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 14TH NOVEMBER 2006 / 23RD KARTHIKA 1928

WP(C).No. 27572 of 2006(G)

PETITIONER:
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1. BABU PETER, S/O.K.E.PETER,
KOCHERY HOUSE, NO.V/565-B, IRUTTALA,
BYSON VALLEY VILLAGE, UDUMBANCHOLA TALUK,
DISTRICT IDUKKI.

2. MARY BABU, W/O.BABU PETER,
KOCHERY HOUSE, NO.V/565-B, IRUTTALA,
BYSON VALLEY VILLAGE, UDUMBANCHOLA TALUK,
DISTRICT IDUKKI.

BY ADV. SRI.K.REGHU KOTTAPPURAM

RESPONDENTS:
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1. THE SECRETARY,
BYSONVALLEY GRAMA PANCHAYATH,
POTTANKADU P.O., VIA. CHITHIRAPURAM,
DISTRICT IDUKKI.

2. THE VILLAGE OFFICER,
BYSON VALLEY VILLAGE,
POTTENKADU P.O., UDUMPANCHOLA TALUK,
DISTRICT IDUKKI.

3. THE TAHSILDAR,
UDUMBANCHOLA TALUK,
UDUMBANCHOLA P.O., DISTRICT IDUKKI.

4. THE SUB COLLECTOR,
DEVIKULAM, DISTRICT IDUKKI.

5. THE DISTRICT COLLECTOR,
IDUKKI DISTRICT, PAINAVU, IDUKKI.

BY ADV. SRI.S.SHANAVAS KHAN FOR R1
GOVERNMENT PLEADER SRI.K.J.MUHAMMED ANSAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC 27572/2006

APPENDIX

PETITIONERS EXHIBITS

EXHIBIT P1: **A TRUE COPY OF SALE DEED NO.1210/05**

EXHIBIT P2: **A TRUE COPY OF BUILDING TAX RECEIPT FOR THE YEAR 2005-06 DATED 23.04.05.**

EXHIBIT P3: **A TRUE COPY OF RESIDENTIAL CUM OWNERSHIP CERTIFICATE NO.C-145/04 DATED 06.07.2006**

EXHIBIT P4: **A TRUE COPY OF LAND TAX RECEITP 06.07.2006**

EXHIBIT P5: **A TRUE COPY OF POSSESSION CERTIFICATE NO.1143/06 DATED 06.07.2006**

EXHIBIT P6: **A TRUE COPY OF ENCUMBRANCE CERTIFICATE NO.2941 DATED 07.07.06**

EXHIBIT P7: **A TRUE COPY OF NO OBJECTION CERTIFICATE NO.147/05 DATED 12.12.05**

EXHIBIT P8: **A TRUE COPY OF SKETCH AND PLAN OF THE BUILDING.**

EXHIBIT P9: **A TRUE COPY OF SKETCH OF LAND COVERED BY EXHIBIT P1:**

EXHIBIT P10: **A TRUE COPY OF THE COMPLAINT DATED 05.10.2006**

//TRUE COPY//

P.A. TO JUDGE

PIUS C.KURIAKOSE,J.

W.P.(C) NO.27572 OF 2006

Dated this the 14th day of November, 2006

J U D G M E N T

On hearing Sri.K.Reghu Kottappuram, counsel for the petitioner and Sri.S.Shanavas Khan, counsel for the Panchayat it is clear that as matters obtain now, no cause of action survives in favour of the petitioner. Giving liberty to the petitioner to approach this court if and when any fresh cause of action arises, this petition will stand disposed of. The merits of the grounds raised are left unexamined.

PIUS C.KURIAKOSE, JUDGE

Rp